IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	: 10/662,940	Confirmation No.:	2033
Applicant	: Kimball C. Chen *et al*		
Filed	: September 16, 2003		
Title	: ELECTRONIC MESSAGE DELIVERY SYSTEM UTILIZABLE IN THE MONITORING AND CONTROL OF REMOTE EQUIPMENT AND METHOD OF SAME		
TC/Art Unit	: 3628		
Examiner:	: Igor N. Borissov		
Docket No.	: 64171.000002		
Customer No.	: **21967**		

Mail Stop: Appeal Brief--Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

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APPEAL BRIEF

In response to the Office Action dated August 7, 2008, ("Office Action") rejecting pending claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331, Appellants respectfully request that the Board of Patent Appeals and Interferences reconsider and withdraw the rejections of record, and allow the pending claims, which are attached hereto as a Claim Appendix.

I. REAL PARTY IN INTEREST

The real party in interest is Energy Transportation Group (ETG) International, L.L.C., the assignee of the above-referenced application.

II. RELATED APPEALS AND INTERFERENCES

There are no known related appeals or interferences.

III. STATUS OF CLAIMS

Claims 1-432 are pending in this application. Claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 stand rejected. Claims 4-6, 9-12, 14, 16, 18, 20-151, 153-179, 183-185, 188-191, 193, 195, 197, 199-330, and 332-432 have been withdrawn from consideration. The rejection of claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 is appealed.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been filed subsequent to the Office Action dated August 7, 2008.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Appellants believe that a brief discussion of the background technology, followed by a brief summary of the embodiments of the invention and the problems solved by the embodiments of the present invention, will assist the Board of Patent Appeals and Interferences (hereinafter referred to as "the Board") in appreciating the significant advances made by the embodiments of the present invention.

A. The Background

The reliability and availability of energy resources relative to demand have been a worldwide public and private sector concern. Aggregate demand has risen faster than supply in most states and countries, resulting in falling reserve levels and, increasingly, severe shortages and outages. Because it is not practical to store electrical energy, electricity shortages manifest

as brownouts and blackouts that impose significant costs to business, consumers, and society. Short of actual brownouts and blackouts, shortages also cause spot market prices to spike wildly, imposing further excessive costs on producers and consumers alike.

Power demand varies daily, weekly, monthly, seasonally and yearly. The demand may be for air conditioners, electric heaters, lighting fixtures as well as other appliances and equipment. For most commercial and general use, there is no practical substitution for it. Yet, the demand for such resources has increased faster than supply for many years, and even for decades in some regions. Power demand is also highly variable over short periods, affected by many factors including outdoor temperature. A heat wave or cold snap can result in significant increases in demand. As spare supply capacity reaches dangerously low levels while both moment-to-moment supply and demand are volatile, prices become high and unstable, and the risk of brownouts and blackouts increases sharply.

Providers of resources, such as power generation, transmission, and distribution companies and other utilities, have limited, or no, access to the right information at the right time to effectively influence how energy is consumed by their customers. At best, utilities may have near-real-time information concerning power consumption only of an entire community or large subsection thereof. More detailed information is generally readily available only monthly, when bills are being prepared.

This lack of detailed, real-time and near-real-time information about the nature and amount of demand and standby supply under the control of end-users, and the lack of ability to influence or control it effectively, when needed, presents a significant challenge to resource providers in balancing supply and demand, whether to predict shortages, solve immediate problems, avert future outages, reduce outage risks, stabilize wholesale and other prices,

redistribute demand over time, or any other beneficial objective.

B. The Embodiments of The Present Invention

These and other drawbacks in existing systems are overcome through a technique for remotely monitoring electrical and/or mechanical equipment in which a user and/or through the user's prior instructions, may effect the alteration of the use or operation of a piece of equipment remotely or interactively. *See,* Page 5, line 20 to page 6, line 1. In one embodiment, the technique may be realized through a method or a system for remotely adjusting, or causing the remote adjustment, of the use, state, parameters or characteristics of one or more devices, processes, or both, for reducing resource demand and/or adding to the resource supply. *See,* Page 6, lines 5-7.

C. Explanation of Independent Claim 1

A method for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices (*See, e.g.,* Figure 17, Page 11, lines 7-8), the method comprising the steps of:

automatically generating at least one informational message at a central server responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices (*See, e.g.,* Figure 17, Page 13, line 11 to page 14, line 1 and Page 19, lines 4-14); and

transmitting the at least one informational message to at least one communication device, where the at least one communication device initiates at least one action for providing a change of one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of one or more of the following: a) the at least one device of the plurality of remote devices, b) one or more second devices of the plurality of remote devices, wherein the

one or more second devices is different from the at least one device and c) one or more devices of a second plurality of remote devices, wherein the second plurality of remote devices is different from the plurality of remote devices (*See, e.g.,* Figure 17, Page 14, line 2-9 and Page 14, line 19 to page 15, line 21 and Page 19, line 15 to page 20, line 2).

D. Explanation of Independent Claim 180

In a system for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices (*See, e.g.,* Figure 17, Page 11, lines 7-8), the system comprising:

a central server that automatically generates at least one informational message responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices (*See, e.g.,* Figure 17, Page 13, line 11 to page 14, line 1 and Page 19, lines 4-14); and

a communication link that transmits the at least one informational message to at least one communication device, where the at least one communication device initiates at least one action for providing a change of one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of one or more of the following: a): the at least one device of the plurality of remote devices, b) one or more second devices of the plurality of remote devices, wherein the one or more second devices is different from the at least one device and c) one or more devices of a second plurality of remote devices, wherein the second plurality of remote devices is different from the plurality of remote devices (*See, e.g.,* Figure 17, Page 14, line 2-9 and Page 14, line 19 to page 15, line 21 and Page 19, line 15 to page 20, line 2).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following grounds of rejection are to be reviewed on appeal:

The rejections of claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,544,036 to Brown, Jr. *et al.* ("Brown") in view of U.S. Patent No. 6,178,362 to Woolard *et al.* ("Woolard").

None of the claims stand or fall together, The reasons why each claim is separately patentable are presented in the Argument section below.

VII. ARGUMENT

The rejections against the pending claims under consideration in the above-captioned patent application should be reversed for at least the reasons set forth below.

A. Summary of the Argument

The rejection of claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 fails to make out a *prima facie* case of obviousness and must thus be withdrawn. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art, and not in the applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 493 (Fed. Cir. 1991); M.P.E.P. §2143.

The Federal Circuit has unequivocally stated that "obviousness is measured by the claims." *In re Sovish,* 769 F.2d 738 (Fed. Cir. 1985). Further, ***all*** claim limitations must be taught or suggested by the prior art in order to make out a proper *prima facie* case of obviousness. *In re Royka*, 490 F.2d 981, 984-85 (C.C.P.A. 1974); *In re Wilson,* 424 F.2d 1382, 1385 (C.C.P.A. 1970) ("All words in a claim must be considered in judging the patentability of that claim against the prior art."). Here, the current rejections are flawed because they fail to provide a proper *prima facie* case of obviousness. Many of the claim recitations of the pending claims are not disclosed by the cited references. Further, the rejection concludes that reference A is missing element 1 and reference B teaches element 1. It then concludes that the combination of A and B to provide missing element 1 would have benefits.

That conclusion does not answer the proper question. Rather, the Office has the burden to show that one of ordinary skill in the art would have recognized the benefits of combining A and B. In other words, the Office has failed to show a non-hindsight motivation to combine references A and B. Based on the Federal Circuit's clear edict on this point, this rejection will be overturned on appeal. Controlling Federal Circuit and Board precedent require that the Office Action set forth specific and particularized motivation for one of ordinary skill in the art to modify a primary reference to achieve a claimed invention. *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 664 (Fed. Cir. 2000) ("[t]o prevent a hindsight-based obviousness analysis, [the Federal Circuit has] clearly established that the relevant inquiry for determining the scope and content of the prior art is whether there is a reason, suggestion, or motivation in the prior art or elsewhere that would have led one of ordinary skill in the art to combine the references.").

Simply put, the Office has failed to set forth a *prima facie* case of obviousness for any of the pending independent and dependent claims. In view of the deficiencies set forth herein,

Appellants respectfully submit that the Office has failed to set forth any proper basis for rejecting the claims, and thus requests that the pending rejections be withdrawn and the pending claims be allowed.

The impropriety of the rejection with respect to each claim is addressed below.

B. The Rejection Under 35 U.S.C. § 103(a) of Claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 Based on U.S. Patent No. 5,544,036 to Brown, Jr. *et al.* ("Brown") in View of U.S. Patent No. 6,178,362 to Woolard *et al.* ("Woolard") is Improper.

Claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 196, 198, and 331 are presently rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,544,036 to Brown, Jr. *et al* ("Brown") in view of U.S. Patent No. 6,178,362 to Woolard *et al* ("Woolard").

1. Independent Claim 1 in Patentable over Brown and Woolard

The Office Action alleges that claim 1 would have been obvious in view of Brown and Woolard. Appellants respectfully disagree. In particular, Appellants submit that the combination of Brown and Woolard fails to disclose, or even suggest, a method for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices, comprising: "***automatically*** generating at least one informational message at a central server ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 1. (emphasis added). In contrast, Brown merely discloses that the "utility command center computer 24 provides signals to transmitter 20, which, in turn, provides appropriate paging messages to the various controllers 14." *See, e.g.*, Brown at column 4, lines 7-10. At best, Brown discloses a one way communication channel for sending paging signals from transmitter 20 to various controllers 14. *See, e.g.*, Brown Figure 1. Appellants respectfully

submit that nowhere does Brown disclose, or even suggest, that the signals are ***automatically*** generated by the utility command center computer 24. Therefore, Brown fails to disclose, or even suggest, "***automatically*** generating at least one informational message at a central server ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 1. (emphasis added). In addition, Woolard fails to make up this deficiency. Indeed, the Office Action does not even allege Woolard remedies such deficiency.

Also, the Office Action alleges that the "automatic" feature would be obvious since it has been held that broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art. Appellants respectfully disagree. The Office Action fails to provide a basis in fact and/or technical reasoning to reasonably support the determination that the "automatic" feature would have been obvious necessarily flows from the teaching of using a computer, as disclosed by Brown. The mere fact that Brown discloses a computer is not sufficient to establish "***automatically*** generating at least one information message at a central server ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 1.

Moreover, as stated in MPEP § 2144.04, if the facts in a prior legal decision are sufficiently similar to those in an application under examination, the examiner may use the rationale used by the court. If the applicant has demonstrated the criticality of a specific limitation, it would not be appropriate to rely solely on case law as the rationale to support an obviousness rejection. Appellants respectfully submit that *In re Venner*, 262 F.2d 91, 95 (CCPA 1958) is directed to combining "old permanent-mold structures together with a timer and

solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." In contrast, claim 1 recites "automatically generating at least one informational message at a central server" and not a mechanical structure or automatic means to replace manual activity, as disclosed in *In re Venner*. Also, the information message automatically generated at a central server is "responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," and is not generated after a predetermined time has elapsed, as disclosed in *In re Venner*. Accordingly, Appellants respectfully submit that *In re Venner* and the present application are not sufficiently similar in facts and therefore, the Examiner erred in alleging that it would be obvious to one having ordinary skill in the art to modify Brown to include "automatic" feature since it has been held that broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art.

In addition, Appellants respectfully submit that Brown teaches away from "***automatically*** generating at least one informational message at a central server ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 1. (emphasis added). In particular, Brown discloses that in Figures 10 and 11, two messages initiated by an electric power utility company may be sent to individual ones of the control units 26 and 28. These messages are used by the utility company to assist it in more equitably reducing power consumption under circumstances when the potential demand for power exceeds the ability of the utility company to generate power. *See,* e.g., column 21, lines 25-31. (emphasis added). Additionally, Brown discloses that in the past, the utility company has turned off the power

completely for selected user groups or load groups when load reduction was required. *See,* e.g., column 21, lines 31-34. Accordingly, Brown merely discloses generating a message when the potential demand for power exceeds the ability of the utility company to generate power and fails to disclose, or even suggest, "***automatically*** generating at least one informational message at a central server ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 1. (emphasis added). Accordingly, Appellants respectfully submit that independent claim 1 is patentable over Brown and Woolard for at least the reasons set forth above.

2. Claim 2 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 2. Claim 2 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one information message comprises at least one control signal and wherein the at least one communication device comprises at least one interface unit, where the interface unit in communication with the one or more devices of the plurality of remote devices controls the at least one device in accordance with the at least one control signal, to take an action for providing a change of the one or more resource-consumption and resource-production attributed to the at least one device." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 2 over the various grounds asserted above should be overruled and claim 2 should be identified as separately patentable from claim 1.

3. Claim 3 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 3.

Claims 3 is separately patentable because Brown in view of Woolard fails to disclose "receiving at least one command at the central server, wherein the at least one command is related to controlling the at least one device and wherein the at least one information message is generated based on the at least one command." Recognizing the deficiencies in Brown, the Office Action relies on Woolard to meet this admittedly missing limitation by turning to column 5, lines 47-51 of Woolard. Nothing in this highlighted section or the entire disclosure of Woolard meets the limitations of claim 3. Woolard purports to disclose the ability to diagnose energy usage problems and develop strategies to reduce energy costs by optimizing responses to queries by the user based on the time of day, the current energy rate and environmental conditions. There is nothing in Woolard that provides any teaching or suggestion that an information message is generated based on the at least one command. Moreover, the Office Action has failed to show how this disclosure meets the limitation of "receiving at least one command at the central server" and further where "the at least one command is related to controlling the at least one device and wherein the at least one informational message is generated based on the at least one command." These claim features are simply missing from the disclosure of Woolard. Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 3 over the various grounds asserted above should be overruled and claim 3 should be identified as separately patentable from claim 1.

4. Claim 7 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 7. Claim 7 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one informational message comprises an instruction directed to one or more of activating and deactivating the at least one device." Further, there is no suggestion that any such a feature

or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 7 over the various grounds asserted above should be overruled and claim 7 should be identified as separately patentable from claim 1.

5. Claim 8 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 8. Claim 8 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one informational message comprises an instruction to adjust operation of the at least one device wherein the instruction to adjust the operation is directed to one or more state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 8 over the various grounds asserted above should be overruled and claim 8 should be identified as separately patentable from claim 1.

6. Claim 13 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 13. Claim 13 is separately patentable because Brown in view of Woolard fails disclose that the at least one command is generated in accordance with a user profile." Recognizing the deficiencies in Brown, the Office Action relies on Woolard to meet this admittedly missing limitation by turning to column 6, lines 49-54 of Woolard. Nothing in this highlighted section or the entire disclosure of Woolard meets the limitations of claim 13. Woolard purports to disclose the user to customize, create or update a particular site to add various information. However, the Office Action has failed to show how this disclosure meets the limitation of "a user profile" and further where "the at least one command is generated in accordance with a user profile." The disclosure

relied upon by the Office Action merely discloses a site configuration function that permits the user to generate a site map for a newly opened facility which is going to be managed by the apparatus 26. *See,* e.g., column 6, lines 52-54. Therefore, Appellants submit that Woolard fails to disclose, or even suggest, that "the at least one command is generated in accordance with a user profile." The claim limitations directed to a user profile are simply missing from the disclosure of Woolard. Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 13 over the various grounds asserted above should be overruled and claim 13 should be identified as separately patentable from claim 1.

7. Claim 15 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 15. Claim 15 is separately patentable because Brown in view of Woolard fails to disclose that "the user profile is associated with an entity that generates one or more commands." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 15 over the various grounds asserted above should be overruled and claim 15 should be identified as separately patentable from claim 1.

8. Claim 17 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 17. Claim 17 is separately patentable because Brown in view of Woolard fails to disclose that "the one or more devices of the plurality of remote devices comprises one or more of an air-conditioner, boiler, motor starter and heater." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 17 over the various grounds asserted above should be overruled and claim

17 should be identified as separately patentable from claim 1.

9. Claim 19 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 19. Claim 19 is separately patentable because Brown in view of Woolard fails to disclose that "the interface unit causes adjustments of the one or more of resource-consumption and resource-production attributed to the at least one device in accordance with the at least one informational message." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 19 over the various grounds asserted above should be overruled and claim 19 should be identified as separately patentable from claim 1.

10. Claim 152 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 152. Claim 152 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one command is from a user associated with the at least one device, the user having an associated user profile. Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the method of Brown in view of Woolard. The rejection of claim 152 over the various grounds asserted above should be overruled and claim 152 should be identified as separately patentable from claim 1.

11. Independent Claim 180 is Patentable Over Brown and Woolard

The Office Action alleges that claim 180 would have been obvious in view of Brown and Woolard. Appellants respectfully disagree. In particular, Appellants submit that the combination of Brown and Woolard fails to disclose, or even suggest, a system for controlling one or more of resource-consumption and resource-production associated with a plurality of

remote devices, comprising: "a central server that ***automatically*** generates at least one informational message ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 180. (emphasis added). In contrast, Brown merely discloses that the "utility command center computer 24 provides signals to transmitter 20, which, in turn, provides appropriate paging messages to the various controllers 14." *See, e.g.*, Brown at column 4, lines 7-10. At best, Brown discloses a one way communication channel for sending paging signals from transmitter 20 to various controllers 14. *See, e.g.,* Brown Figure 1. Appellants respectfully submit that nowhere does Brown disclose, or even suggest, that the signals are ***automatically*** generated by the utility command center computer 24. Therefore, Brown fails to disclose, or even suggest, "a central server that ***automatically*** generates at least one informational message ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 180. (emphasis added). In addition, Woolard fails to make up this deficiency. Indeed, the Office Action does not even allege Woolard remedies such deficiency.

Also, the Office Action alleges that the "automatic" feature would be obvious since it has been held that broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art. Appellants respectfully disagree. The Office Action fails to provide a basis in fact and/or technical reasoning to reasonably support the determination that the "automatic" feature would have been obvious necessarily flows from the teaching of using a computer, as taught by Brown. The mere fact that Brown discloses a computer is not sufficient to establish "a central server that

automatically generates at least one information message ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 180.

Moreover, as stated in MPEP § 2144.04, if the facts in a prior legal decision are sufficiently similar to those in an application under examination, the examiner may use the rationale used by the court. If the applicant has demonstrated the criticality of a specific limitation, it would not be appropriate to rely solely on case law as the rationale to support an obviousness rejection. Appellants respectfully submit that *In re Venner*, 262 F.2d 91, 95 (CCPA 1958) is directed to combining "old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." In contrast, claim 180 recites "a central server that ***automatically*** generates at least one informational message" and not a mechanical structure or automatic means to replace manual activity, as disclosed in *In re Venner*. Also, the information message automatically generated at a central server is "responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," and is not generated after a predetermined time has elapsed, as disclosed in *In re Venner*. Accordingly, Appellants respectfully submit that *In re Venner* and the present application are not sufficiently similar in facts and therefore, the Examiner erred in alleging that it would be obvious to one having ordinary skill in the art to modify Brown to include "automatic" feature since it has been held that broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art.

In addition, Appellants respectfully submit that Brown teaches away from "a central

server that ***automatically*** generates at least one informational message ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 180. (emphasis added). In particular, Brown discloses that in Figures 10 and 11, two messages initiated by an electric power utility company may be sent to individual ones of the control units 26 and 28. These messages are used by the utility company to assist it in more equitably reducing power consumption under circumstances when the potential demand for power exceeds the ability of the utility company to generate power. *See,* e.g., column 21, lines 25-31. (emphasis added). Additionally, Brown discloses that in the past, the utility company has turned off the power completely for selected user groups or load groups when load reduction was required. *See,* e.g., column 21, lines 31-34. Accordingly, Brown merely discloses generating a message when the potential demand for power exceeds the ability of the utility company to generate power and fails to disclose, or even suggest, "a central server that ***automatically*** generates at least one informational message ***responsive*** to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices," as recited in claim 180. (emphasis added). Accordingly, Appellants respectfully submit that independent claim 180 is patentable over Brown and Woolard for at least the reasons set forth above.

12. Claim 181 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 181. Claim 181 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one information message comprises at least one control signal and wherein the at least one communication device comprises at least one interface unit, where the interface unit in

communication with the one or more devices of the plurality of remote devices controls the at least one device in accordance with the at least one control signal, to take an action for providing a change of the one or more resource-consumption and resource-production attributed to the at least one device." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 181 over the various grounds asserted above should be overruled and claim 181 should be identified as separately patentable from claim 180.

13. Claim 182 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 182. Claims 182 is separately patentable because Brown in view of Woolard fails to disclose "the central server receives at least one command, wherein the at least one command is related to controlling the at least one device and wherein the at least one information message is generated based on the at least one command." Recognizing the deficiencies in Brown, the Office Action relies on Woolard to meet this admittedly missing limitation by turning to column 5, lines 47-51 of Woolard. Nothing in this highlighted section or the entire disclosure of Woolard meets the limitations of claim 182. Woolard purports to disclose the ability to diagnose energy usage problems and develop strategies to reduce energy costs by optimizing responses to queries by the user based on the time of day, the current energy rate and environmental conditions. There is nothing in Woolard that provides any teaching or suggestion that an information message is generated based on the at least one command. Moreover, the Office Action has failed to show how this disclosure meets the limitation of "the central server receives at least one command" and further where "the at least one command is related to controlling the at least one device and wherein the at least one informational message is generated based on the at least one command."

These claim features are simply missing from the disclosure of Woolard. Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 182 over the various grounds asserted above should be overruled and claim 182 should be identified as separately patentable from claim 180.

14. Claim 186 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 186. Claim 186 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one informational message comprises an instruction directed to one or more of activating and deactivating the at least one device." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 186 over the various grounds asserted above should be overruled and claim 186 should be identified as separately patentable from claim 180.

15. Claim 187 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 187. Claim 187 is separately patentable because Brown in view of Woolard fails to disclose that "the at least one informational message comprises an instruction to adjust operation of the at least one device wherein the instruction to adjust the operation is directed to one or more state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 187 over the various grounds asserted above should be overruled and claim 187 should be identified as separately patentable from claim 180.

16. Claim 192 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 192. Claim 192 is separately patentable because Brown in view of Woolard fails disclose that "the at least one command is generated in accordance with a user profile." Recognizing the deficiencies in Brown, the Office Action relies on Woolard to meet this admittedly missing limitation by turning to column 6, lines 49-54 of Woolard. Nothing in this highlighted section or the entire disclosure of Woolard meets the limitations of claim 192. Woolard purports to disclose the user to customize, create or update a particular site to add various information. However, the Office Action has failed to show how this disclosure meets the limitation of "a user profile" and further where "the at least one command is generated in accordance with a user profile." The disclosure relied upon by the Office Action merely discloses a site configuration function that permits the user to generate a site map for a newly opened facility which is going to be managed by the apparatus 26. *See,* e.g., column 6, lines 52-54. Therefore, Appellants submit that Woolard fails to disclose, or even suggest, that "the at least one command is generated in accordance with a user profile." The claim limitations directed to a user profile are simply missing from the disclosure of Woolard. Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 192 over the various grounds asserted above should be overruled and claim 192 should be identified as separately patentable from claim 180.

17. Claim 194 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 194. Claim 194 is separately patentable because Brown in view of Woolard fails to disclose that "the user profile is associated with an entity that generates one or more commands." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system

of Brown in view of Woolard. The rejection of claim 194 over the various grounds asserted above should be overruled and claim 194 should be identified as separately patentable from claim 180.

18. Claim 196 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 196. Claim 196 is separately patentable because Brown in view of Woolard fails to disclose that "the plurality of remote devices comprises one or more of an air-conditioner, boiler, motor starter and heater." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 196 over the various grounds asserted above should be overruled and claim 196 should be identified as separately patentable from claim 180.

19. Claim 198 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 198. Claim 198 is separately patentable because Brown in view of Woolard fails to disclose that "the interface unit causes adjustments of the one or more of resource-consumption and resource-production attributed to the at least one device in accordance with the at least one informational message." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 198 over the various grounds asserted above should be overruled and claim 198 should be identified as separately patentable from claim 180.

20. Claim 331 is Separately Patentable

The proposed combination also fails to suggest the recitation in dependent claim 331. Claim 331 is separately patentable because Brown in view of Woolard fails to disclose that "the

at least one command is from a user associated with the at least one device, the user having an associated user profile." Further, there is no suggestion that any such a feature or functionality is desirable or advantageous in the system of Brown in view of Woolard. The rejection of claim 331 over the various grounds asserted above should be overruled and claim 331 should be identified as separately patentable from claim 180.

For at least the reasons set forth above, Appellants respectfully request that the obviousness rejection of claims 1-3, 7, 8, 13, 15, 17, 19, 152, 180-182, 186, 187, 192, 194, 196, 198, and 331 be withdrawn.

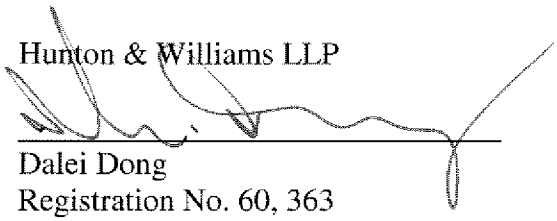
In view of the foregoing, Appellants respectfully request that the Examiner has failed to establish a prima facie case of obviousness against the rejected claims. Thus, Appellants respectfully request that the Board reverses the pending rejections set forth in the Action, and allow all of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made.

Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0206, and please credit any excess fees to such deposit account.

Respectfully submitted,

Hunton & Williams LLP



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VIII. CLAIMS APPENDIX

Claim 1. (Previously Presented) A method for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices, the method comprising the steps of:

automatically generating at least one informational message at a central server responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices; and

transmitting the at least one informational message to at least one communication device, where the at least one communication device initiates at least one action for providing a change of one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of one or more of the following: a) the at least one device of the plurality of remote devices, b) one or more second devices of the plurality of remote devices, wherein the one or more second devices is different from the at least one device and c) one or more devices of a second plurality of remote devices, wherein the second plurality of remote devices is different from the plurality of remote devices.

Claim 2. (Previously Presented) The method of claim 1, wherein the at least one informational message comprises at least one control signal and wherein the at least one communication device comprises at least one interface unit, where the interface unit in communication with the one or more devices of the plurality of remote devices controls the at least one device in accordance with the at least one control signal, to take an action for providing a change of the one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 3. (Previously Presented) The method of claim 1, further comprising the step of:

receiving at least one command at the central server, wherein the at least one command is related to controlling the at least one device and wherein the at least one informational message is generated based on the at least one command.

Claim 4. (Withdrawn) The method of claim 1, wherein the at least one informational message comprises one or more of a request to adjust the at least one device, an order to adjust the at least one device, price data associated with the at least one device, change in price data, pricing period data, change in pricing period data, an incentive for an adjustment in the at least one device, a change in incentive, an incentive period, and change in incentive period.

Claim 5. (Withdrawn) The method of claim 1, wherein a condition triggering the at least one informational message is an anticipated future decrease in available energy to the device.

Claim 6. (Withdrawn) The method of claim 5, wherein the condition comprises one or more of an anticipated future shortfall of available energy; a reduction in reserve or standby resource capacity; an energy-generation outage; an energy transmission outage, an energy distribution outage; and a terror or hacker attack on one or more of resource production, resource supply, resource transmission and resource distribution.

Claim 7. (Original) The method of claim 1, wherein the at least one informational message comprises an instruction directed to one or more of activating and deactivating the at least one device.

Claim 8. (Previously Presented) The method of claim 1, wherein the at least one informational message comprises an instruction to adjust operation of the at least one device wherein the instruction to adjust the operation is directed to one or more of state, use, one or

more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device.

Claim 9. (Withdrawn) The method of claim 1, wherein the step of transmitting occurs over one or more of a bi-directional communication link; a cellular telephone network; a radio network, a satellite network, a paging network, a power transmission line; an Ethernet network, a packet network, Internet, a meter-reading network and multiple networks.

Claim 10. (Withdrawn) The method of claim 1, further comprising the step of:

associating one or more of charges and fees with the control of the at least one device.

Claim 11. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill associated with the at least one device pertaining to controlling the at least one device.

Claim 12. (Withdrawn) The method of claim 3, wherein the at least one command is generated via an Internet interface.

Claim 13. (Original) The method of claim 3, wherein the at least one command is generated in accordance with a user profile.

Claim 14. (Withdrawn) The method of claim 13, wherein the user profile is associated with an entity having an interest in one or more of energy consuming devices, energy transmission devices and energy producing devices.

Claim 15. (Original) The method of claim 13, wherein the user profile is associated with an entity that generates one or more commands.

Claim 16. (Withdrawn) The method of claim 1, wherein the interface unit comprises a plurality of interface units where each interface unit is in communication with at least one remote device.

Claim 17. (Previously Presented) The method of claim 1, wherein the one or more devices of the plurality of remote devices comprises one or more of an air-conditioner, boiler, motor starter and heater.

Claim 18. (Withdrawn) The method of claim 1, wherein the devices comprise one or more of a power generator, generator control, automatic transfer switch, fuel cell, photovoltaic cell and wind turbine.

Claim 19. (Previously Presented) The method of claim 2, wherein the interface unit causes adjustments of the one or more of resource-consumption and resource-production attributed to the at least one device in accordance with the at least one informational message.

Claim 20. (Withdrawn) The method of claim 2, wherein the interface unit comprises an energy metric component.

Claim 21. (Withdrawn) The method of claim 3, wherein the at least one command is generated by one or more of a user associated with the at least one device; a supplier of a resource for operating the at least one device; a distributor of a resource for operating the at least one device; and a third party associated with one or more of supply, distribution and consumption of a resource for operating the at least one device.

Claim 22. (Withdrawn) The method of claim 1, wherein the at least one informational message is generated automatically based on external data associated with the one or more of supply, distribution and consumption of a resource for operating the at least one device.

Claim 23. (Withdrawn) The method of claim 1, further comprising the step of:

determining an amount of change of one or more of resource-consumption and resource-production attributed to the at least one device as a result of an adjustment of the at least one device.

Claim 24. (Withdrawn) The method of claim 23, wherein the change represents a reduction of resource-consumption.

Claim 25. (Withdrawn) The method of claim 23, wherein the change represents an increase of supply of a resource capable of being produced by the at least one device.

Claim 26. (Withdrawn) The method of claim 23, wherein the change represents a combination of a reduction of resource-consumption and an increase of resource-production of a resource capable of being produced by the at least one device.

Claim 27. (Withdrawn) The method of claim 23, wherein data about the amount of change is collected electronically via one or more of a communication link; a cellular telephone network, a radio network, a satellite network, a paging network, an Ethernet network, a packet network, Internet, a power line and multiple networks.

Claim 28. (Withdrawn) The method of claim 23, further comprising the step of:

determining that a current or an anticipated price of a resource is greater than a certain value.

Claim 29. (Withdrawn) The method of claim 1, further comprising the step of:

determining that the at least one device has been controlled in accordance with the at least one informational message.

Claim 30. (Withdrawn) The method of claim 1, further comprising the step of:

restoring the at least one device to a state or condition prior to an adjustment

made in response to the at least one informational message.

Claim 31. (Withdrawn) The method of claim 30, wherein the step of restoring further comprises adjusting one or more of state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device.

Claim 32. (Withdrawn) The method of claim 30, wherein the step of restoring is performed after a predetermined period of time.

Claim 33. (Withdrawn) The method of claim 30, wherein the step of restoring is performed in response to a trigger event.

Claim 34. (Withdrawn) The method of claim 33, wherein the trigger event comprises one or more of a reduction in shortfall of available energy; an increase in reserve or standby resource capacity; a reduction of end of an energy-generation outage; a reduction or end of an energy distribution outage; and a reduction or end of a terror or hacker attack on one or more of resource production, resource supply and resource distribution.

Claim 35. (Withdrawn) The method of claim 33, wherein the step of restoring is performed upon receipt of a restoring command.

Claim 36. (Withdrawn) The method of claim 35, wherein the restoring command is automatically generated based on external data associated with one or more of supply, distribution and consumption of a resource associated with operation of the at least one device.

Claim 37. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill of a user associated with the one or more devices for one or more of activating, de-activating and controlling the at least one device in accordance with the at least one informational message.

Claim 38. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill associated with the one or more devices for an amount of resource consumption avoided as result of one or more of deactivating and controlling the at least one device.

Claim 39. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill associated with the one or more devices for an amount of supply added as a result of one or more of activating and controlling the at least one device.

Claim 40. (Withdrawn) The method of claim 1, further comprising the step of:

generating data for one or more of adjusting a bill and initiating a settlement action associated with the one or more devices for one or more of activating, deactivating and controlling the at least one device in accordance with the at least one informational message.

Claim 41. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill associated with the one or more devices for an amount of resource consumption avoided as a result of one or more of deactivating and controlling the at least one device.

Claim 42. (Withdrawn) The method of claim 1, further comprising the step of:

adjusting a bill associated with the one or more devices for an amount of supply added as a result of one or more of activating and controlling the at least one device.

Claim 43. (Withdrawn) The method of claim 1, further comprising the step of:

initiating a settlement action to ensure an accurate amount is paid to an appropriate recipient from an appropriate payer related to one or more of resource-consumption and resource-production.

Claim 44. (Withdrawn) The method of claim 40, further comprising the step of:

initiating a settlement action to ensure a plurality of appropriate amounts is paid

to a plurality of appropriate recipients from a plurality of appropriate payers.

Claim 45. (Withdrawn) The method of claim 1, further comprising the step of:

compensating a user associated with the at least one device based on a difference between a predetermined baseline and an amount attributed to the change in one or more of resource-consumption and resource-production.

Claim 46. (Withdrawn) The method of claim 45, wherein the step of compensating is performed by crediting the user.

Claim 47. (Withdrawn) The method of claim 45, wherein the baseline comprises an average amount of change of one or more of resource-consumption and resource-production.

Claim 48. (Withdrawn) The method of claim 45, wherein the baseline is adjustable based on one or more of time frame, season, and weather data.

Claim 49. (Withdrawn) The method of claim 1, wherein a user accepts an offer generated by the central server wherein the offer comprises an incentive for taking an action at or during a certain time.

Claim 50. (Withdrawn) The method of claim 3, wherein the at least one command comprises an offer from a user associated with the one or more devices to effectuate a change in one or more of consumption and supply of an associated resource for a certain consideration.

Claim 51. (Withdrawn) The method of claim 50, wherein the change in one or more of consumption and supply comprises one or more of a reduction in consumption and an increase in supply of a resource.

Claim 52. (Withdrawn) The method of claim 50, wherein the offer is transmitted to one or more entities.

Claim 53. (Withdrawn) The method of claim 52, wherein at least one of the one or more

entities determines whether to accept the offer.

Claim 54. (Withdrawn) The method of claim 50, further comprising the step of:

deciding based on one or more of price data, supply data and demand data whether to accept the offer before generating the at least one informational message.

Claim 55. (Withdrawn) The method of claim 2, further comprising the steps of:

generating at least one signal for terminating the action having the effect of providing the change; and

transmitting the at least one signal to the at least one interface unit, where the at least one interface unit in communication with the one or more devices controls the at least one device in accordance with the at least one signal, to take an action having the effect of terminating the action having the effect of providing the change.

Claim 56. (Withdrawn) The method of claim 1, further comprising the steps of:

generating at least one message regarding termination of the action having the effect of providing the change; and

transmitting the at least one message to the at least one communication device, where the at least one communication device is associated with at least one entity comprising one or more of a user and an owner of the at least one device.

Claim 57. (Withdrawn) The method of claim 56, wherein the at least one communication device is one or more of an email system or device, a pager, a telephone, an SMS or text-messaging device, a mobile computing device, a stationary computing device, a web browser, a server, a software program, a facsimile machine.

Claim 58. (Withdrawn) The method of claim 1, wherein the at least one informational message comprises an order to reduce resource-consumption or increase resource-production

associated with the at least one device.

Claim 59. (Withdrawn) The method of claim 3, wherein the at least one command comprises an order to reduce resource-consumption or increase resource-production associated with the at least one device.

Claim 60. (Withdrawn) The method of claim 58, wherein the resource-consumption comprises energy consumption.

Claim 61. (Withdrawn) The method of claim 58, wherein the at least one informational message is capable of being overridden by an entity associated with the at least one device.

Claim 62. (Withdrawn) The method of claim 59, wherein the at least one command is capable of being overridden by an entity associated with the at least one device.

Claim 63. (Withdrawn) The method of claim 1, wherein the at least one informational message identifies a level of change from a plurality of levels of change wherein each level of change comprises a different level of one or more of resource-consumption and resource-production.

Claim 64. (Withdrawn) The method of claim 58, further comprising the step of:

assessing one or more of price data, demand data, and supply data to determine the order.

Claim 65. (Withdrawn) The method of claim 1, wherein the at least one informational message is based on a request from an entity requesting one or more of a reduction in resource-consumption and an increase in resource-production by a predetermined amount.

Claim 66. (Withdrawn) The method of claim 65, wherein the predetermined amount comprises an estimated amount based on one or more of demand data, supply data, device data and contract data.

Claim 67. (Withdrawn) The method of claim 65, wherein the predetermined amount is stored in a user profile.

Claim 68. (Withdrawn) The method of claim 1, wherein the one or more devices comprise one or more energy-related assets.

Claim 69. (Withdrawn) The method of claim 1, wherein the one or more devices are selectively re-adjusted, activated or deactivated subsequent to the one or more device's initial activations, de-activations or adjustments.

Claim 70. (Withdrawn) The method of claim 69, wherein the one or more devices are selectively re-adjusted, activated or deactivated by at least one command.

Claim 71. (Withdrawn) The method of claim 69, wherein the one or more devices are selectively re-adjusted, activated or deactivated by an additional at least one informational message.

Claim 72. (Withdrawn) The method of claim 69, wherein the one or more devices may be selectively re-adjusted, activated or deactivated in response to with a message to a communication device associated with at least one intended recipient.

Claim 73. (Withdrawn) The method of claim 1, wherein the at least one informational message is based on a request from a first entity requesting a second entity to select a level of adjustment from a plurality of levels of response involving the second entity reducing resource-consumption or increasing resource-production.

Claim 74. (Withdrawn) The method of claim 3, wherein the at least one command comprises a request from a first entity requesting a second entity to select a level of adjustment from a plurality of levels of response involving the second entity reducing resource-consumption or increasing resource-production.

Claim 75. (Withdrawn) The method of claim 73, wherein the levels of adjustment comprise one or more of no adjustment and some adjustment.

Claim 76. (Withdrawn) The method of claim 73, wherein each level of adjustment has a corresponding incentive.

Claim 77. (Withdrawn) The method of claim 73, wherein the first entity comprises a supplier of a resource for operating the at least one device.

Claim 78. (Withdrawn) The method of claim 1, wherein the at least one informational message is based on a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on a user profile.

Claim 79. (Withdrawn) The method of claim 3, wherein the at least one command comprises a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on a user profile.

Claim 80. (Withdrawn) The method of claim 1, where the at least one informational message is based on a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on an overall target demand or supply goal for a plurality of entities.

Claim 81. (Withdrawn) The method of claim 3, where the at least one command comprises a request from a first entity requesting one or more of a reduction in resource-consumption and

an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on an overall target demand or supply goal for a plurality of entities.

Claim 82. (Withdrawn) The method of claim 80, wherein the second entity decides how the level of adjustment is distributed throughout the one or more devices.

Claim 83. (Withdrawn) The method of claim 80, wherein the second entity decides the one or more devices to be adjusted and an order of adjustment for the one or more devices.

Claim 84. (Withdrawn) The method of claim 83, wherein an estimated amount of adjustment of each of the one or more devices is determined.

Claim 85. (Withdrawn) The method of claim 81, wherein the second entity decides how the level of adjustment is distributed throughout the one or more devices.

Claim 86. (Withdrawn) The method of claim 81, wherein the second entity decides the one or more devices to be adjusted and an order of adjustment for the one or more devices.

Claim 87. (Withdrawn) The method of claim 1, wherein the at least one informational message is based on a request from an entity requesting one or more of a reduction in resource-consumption and an increase in resource-production by a predetermined amount for an incentive.

Claim 88. (Withdrawn) The method of claim 3, wherein the at least one command comprises a request from an entity requesting one or more of a reduction in resource-consumption and an increase in resource-production by a predetermined amount for an incentive.

Claim 89. (Withdrawn) The method of claim 87, wherein a user associated with the one or more devices determines an amount of one or more of resource-consumption and resource-production in response to the incentive.

Claim 90. (Withdrawn) The method of claim 87, wherein the resource-consumption

comprises energy consumption.

Claim 91. (Withdrawn) The method of claim 1, further comprising the step of:

transmitting a notification message to the at least one communication device wherein the notification message informs one or more intended recipients of delivery or non-delivery of the at least one informational message.

Claim 92. (Withdrawn) The method of claim 3, further comprising the step of:

transmitting a notification message to the at least one communication device wherein the notification message informs one or more intended recipients about the change in one or more of resource consumption and resource production.

Claim 93. (Withdrawn) The method of claim 1, further comprising the step of:

calculating an amount of the change in one or more of resource-consumption and resource-production attributed to an entity for a specific adjustment; and

storing the amount of the change in a database.

Claim 94. (Withdrawn) The method of claim 93, wherein the amount comprises one or more of an actual amount, estimated amount, measured amount, calculated amount, approximated amount, sampled amount, standardized amount, predetermined amount, extrapolated amount and interpolated amount.

Claim 95. (Withdrawn) The method of claim 1, further comprising the step of:

calculating a potential amount of the change in one or more of resource-consumption and resource-production for a given level of adjustment attributed to an entity; and

storing the potential amount in a database.

Claim 96. (Withdrawn) The method of claim 1, wherein each unit of change in one or more of resource-consumption and resource-production within a defined area resulting from the action

determines an amount of compensation.

Claim 97. (Withdrawn) The method of claim 96, wherein the unit of change in one or more of resource-consumption and resource-production is a predetermined number of kilowatts or kilowatt-hours of energy.

Claim 98. (Withdrawn) The method of claim 1, further comprising the step of:

enabling a user to trade, buy or sell an amount of one or more of the change of resource-consumption and resource-production via a trading system wherein the change comprises one or more of current change, future change and prior change.

Claim 99. (Withdrawn) The method of claim 1, further comprising the step of:

enabling a user to accept one or more bids from one or more entities for an amount of change of one or more of the change of resource-consumption and resource-production.

Claim 100. (Withdrawn) The method of claim 1, further comprising the step of:

enabling a user to offer a projected amount of change of one or more of resource-consumption and resource-production wherein the at least one informational message is generated based on the projected amount.

Claim 101. (Withdrawn) The method of claim 100, wherein the one or more entities comprise one or more of other users, one or more resource providers, one or more resource transmission entities, one or more resource distribution entities, trading entities, and an entity associated with the central server.

Claim 102. (Withdrawn) The method of claim 1, further comprising the step of:

defining one or more conditions concerning bid acceptance from one or more entities for an adjustment in one or more of resource-consumption and resource-production.

Claim 103. (Withdrawn) The method of claim 1, further comprising the steps of:

assessing a consumption amount of one or more resources associated with operation of one or more devices; and

assessing a supply amount of the one or more resources.

Claim 104. (Withdrawn) The method of claim 103, wherein the consumption amount comprises aggregate consumption data associated with a plurality of devices.

Claim 105. (Withdrawn) The method of claim 103, wherein the consumption amount comprises one or more of current consumption, theoretical consumption, anticipated consumption, a steady-sate consumption for a predetermined time frame, a peak consumption for a predetermined time frame and an average consumption for a predetermined time frame.

Claim 106. (Withdrawn) The method of claim 103, wherein the consumption amount is extrapolated from a plurality of devices contributing to aggregate consumption within a predefined area.

Claim 107. (Withdrawn) The method of claim 106, wherein the plurality of devices comprise a combination of the one or more devices in communication with the at least one communication device and other devices.

Claim 108. (Withdrawn) The method of claim 103, further comprising the step of:

adjusting one or more of the resource-consumption and resource-production of the one or more devices based on the assessed consumption amount varying from the assessed supply amount by a predetermined amount.

Claim 109. (Withdrawn) The method of claim 108, wherein the assessed consumption amount comprises aggregate consumption data from a plurality of devices.

Claim 110. (Withdrawn) The method of claim 1, further comprising the step of:

assessing price data associated with one or more resources associated with the operation of the one or more devices; wherein the price data is considered in generating the at least one informational message.

Claim 111. (Withdrawn) The method of claim 110, wherein the price data is compared to at least one predetermined price threshold.

Claim 112. (Withdrawn) The method of claim 111, wherein the at least one predetermined price threshold is stored in a user profile.

Claim 113. (Withdrawn) The method of claim 1, further comprising the steps of:

monitoring a plurality of devices; and

determining a plurality of price data based at least in part on the step of monitoring data wherein the plurality of price data is considered in generating the at least one informational message.

Claim 114. (Withdrawn) The method of claim 113, wherein the plurality of devices comprise one or more of resource transmission equipment, resource distribution equipment, the one or more devices and meter devices.

Claim 115. (Withdrawn) The method of claim 3, further comprising the steps of:

monitoring a plurality of devices; and

determining a plurality of price data based at least in part on the step of monitoring data wherein the plurality of price data is considered in generating the at least one command.

Claim 116. (Withdrawn) The method of claim 1, further comprising the step of:

assessing price data associated with one or more resources associated with the operation of the one or more devices; wherein the price data is considered in one or more of

activating, deactivating, controlling, and not controlling the at least one device.

Claim 117. (Withdrawn) The method of claim 1, further comprising the step of:

assessing forecast data of one or more of consumption amount and supply amount associated with one or more resources associated with the operation of the one or more devices; wherein the assessed forecast data is considered in generating the at least one informational message.

Claim 118. (Withdrawn) The method of claim 1, further comprising the step of:

assessing device function data associated with the operation of the one or more devices; wherein the assessed device function data is considered in generating the at least one informational message.

Claim 119. (Withdrawn) The method of claim 118, wherein the device function data comprises one or more of cost data in operating a device, cost data of one or more resources for operating the device, information regarding an ability to adjust one or more of resource-consumption and resource-production by the at least one device and priority of controlling the devices in relation to other devices.

Claim 120. (Withdrawn) The method of claim 1, further comprising the step of:

assessing weather condition data affecting the operation of the one or more devices; wherein the assessed weather condition data is considered in generating the at least one informational message.

Claim 121. (Withdrawn) The method of claim 1, further comprising the step of:

assessing user profile data associated with the operation of the one or more devices; wherein the assessed user profile data is considered in generating the at least one informational message.

Claim 122. (Withdrawn) The method of claim 121, wherein the user profile data comprises data representing one or more of an average demand and an average supply.

Claim 123. (Withdrawn) The method of claim 1, further comprising the step of:

assessing one or more event conditions comprising one or more of power reduction warnings; national, region or local security warnings; power or energy shortage warnings; terrorist attacks; power outages; equipment outages; power system restoration; wherein the assessed one or more event conditions is considered in generating the at least one informational message.

Claim 124. (Withdrawn) The method of claim 1, further comprising the step of:

identifying one or more energy curtailment mandates from an entity; wherein the one or more energy curtailment mandates is considered in generating the at least one informational message.

Claim 125. (Withdrawn) The method of claim 124, wherein the mandates are self-imposed.

Claim 126. (Withdrawn) The method of claim 1, further comprising the step of:

balancing the operation of the one or more devices based at least in part on one or more of the consumption amount and the assessed supply amount.

Claim 127. (Withdrawn) The method of claim 126, further comprising the step of:

balancing the operation of one or more devices among one or more entities.

Claim 128. (Withdrawn) The method of claim 1, further comprising the steps of:

receiving feedback data in response to transmission of the at least one informational message; and

generating at least one additional informational message in accordance with the feedback data.

Claim 129. (Withdrawn) The method of claim 1, further comprising the steps of:

receiving feedback data in response to an adjustment of the at least one device; and

re-adjusting operation of one or more devices based at least in part on the feedback data.

Claim 130. (Withdrawn) The method of claim 1, further comprising the steps of:

receiving feedback data in response to an adjustment of the at least one device;

generating at least one message based on the received feedback data; and

transmitting the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one recipient.

Claim 131. (Withdrawn) The method of claim 129, wherein the step of re-adjusting is performed in response to an additional at least one informational message.

Claim 132. (Withdrawn) The method of claim 129, wherein the step of re-adjusting comprises one or more or activating, de-activating and controlling the one or more devices.

Claim 133. (Withdrawn) The method of claim 129, wherein the feedback data comprises one or more of device level data and user level data.

Claim 134. (Withdrawn) The method of claim 129, wherein the feedback data comprises aggregate data among a plurality of entities.

Claim 135. (Withdrawn) The method of claim 129, wherein the feedback data comprises aggregate data independent of specific entities.

Claim 136. (Withdrawn) The method of claim 129, wherein the step of re-adjusting further comprises adjusting an incentive associated with the adjustment of the at least one device.

Claim 137. (Withdrawn) The method of claim 129, wherein the step of re-adjusting further

comprises adjusting a price associated with a resource associated with operation of the at least one device.

Claim 138. (Withdrawn) The method of claim 1, further comprising the step of:

measuring at least one performance metric of the one or more devices;

predicting future performance of the one or more devices based on the step of measuring; and

generating the at least one informational message based at least in part on the predicted future performance.

Claim 139. (Withdrawn) The method of claim 138, wherein the at least one performance metric comprises one or more of state characteristics, parameters and operating characteristics and wherein the future performance comprises one or more of future resource-consumption and future resource-production.

Claim 140. (Withdrawn) The method of claim 1, further comprising the steps of:

monitoring one or more devices associated with a user, the user having a user profile identifying the one or more devices; and

automatically generating the at least one informational message based at least in part on the step of monitoring.

Claim 141. (Withdrawn) The method of claim 1, further comprising the steps of:

identifying at least one trigger condition for automatically initiating adjustment of one or more of resource-consumption and resource-production of the at least one device, wherein the adjustment is directed to one or more of state, use, parameter, set points, operating characteristics, duty cycle, control logic and schedule associated with the at least one device; and

generating the at least one informational message in response to an occurrence of

the at least one trigger condition.

Claim 142. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined trigger condition defined by the user.

Claim 143. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined schedule of adjustments in the one or more of resource-consumption and resource-production of the at least one device.

Claim 144. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined weather condition where an occurrence of the predetermined weather condition triggers an automatic adjustment in one or more of resource-consumption and resource-production of the at least one device.

Claim 145. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a warning message of an imminent event forcing power adjustment.

Claim 146. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined condition involving one or more of real-time, near real-time, forward and anticipated pricing data.

Claim 147. (Withdrawn) The method of claim 146, wherein the price data comprises market price data.

Claim 148. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined condition involving one or more of time of day, day of week, and season data.

Claim 149. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined condition involving current surplus and deficit resource availability data.

Claim 150. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined condition involving forecasted surplus and deficit capacity data.

Claim 151. (Withdrawn) The method of claim 141, wherein the at least one trigger condition comprises a predetermined condition involving a change in price of a resource with respect to a predetermined threshold.

Claim 152. (Original) The method of claim 3, wherein the at least one command is from a user associated with the at least one device, the user having an associated user profile.

Claim 153. (Withdrawn) The method of claim 152, wherein the user profile defines in whole or in part an agreement between the user and an entity associated with the central server concerning a right to control of the one or more devices.

Claim 154. (Withdrawn) The method of claim 152, wherein an entity reserves a right to overrule rights associated with the user in operation of the one or more devices or in response to an event.

Claim 155. (Withdrawn) The method of claim 152, wherein the user defines or modifies all or in part one or more of the user profile and a profile in which the user has been assigned one or more rights.

Claim 156. (Withdrawn) The method of claim 155, wherein the user performs the defining or the modifying over the Internet.

Claim 157. (Withdrawn) The method of claim 152, wherein the user makes available all or part of the user profile in connection with participation in a resource trading network or exchange.

Claim 158. (Withdrawn) The method of claim 157, wherein the user shares data associated with the user profile with other users.

Claim 159. (Withdrawn) The method of claim 1, wherein at least one predetermined rule is related to controlling the at least one device.

Claim 160. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule is defined by a user associated with the one or more devices.

Claim 161. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule is defined at a user interface via the Internet.

Claim 162. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule is stored in a user profile associated with a user.

Claim 163. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule comprises one or more situational rules where each situational rule is applicable for an identified circumstance.

Claim 164. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule comprises a predetermined rule specific for one or more devices.

Claim 165. (Withdrawn) The method of claim 159, wherein the at least one predetermined rule varies in accordance with feedback data.

Claim 166. (Withdrawn) The method of claim 165, wherein the at least one predetermined rule varies situationally.

Claim 167. (Withdrawn) The method of claim 165, wherein the at least one predetermined rule varies dynamically.

Claim 168. (Withdrawn) The method of claim 159, wherein the at least one informational message is generated in accordance with the at least one predetermined rule.

Claim 169. (Withdrawn) The method of claim 168, wherein the at least one predetermined rule is directed to controlling one or more of one or more of state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the one of more devices.

Claim 170. (Withdrawn) The method of claim 169, wherein the at least one predetermined rule identifies how the one or more devices are monitored.

Claim 171. (Withdrawn) The method of claim 169, wherein the user defined rules comprise multiple levels of control or adjustment concerning the one or more devices.

Claim 172. (Withdrawn) The method of claim 1, wherein the at least one informational message initiates one or more actions involving activating and deactivating the at least one device or one or more components associated with the at least one device.

Claim 173. (Withdrawn) The method of claim 1, wherein the at least one informational message initiates one or more actions involving changing a plurality of set points; changing a plurality of parameters; changing one or more inputs to the at least one device; changing state of the at least one device; reducing an amount of resource supplied to the at least one device over a predefined time period; changing a duty cycle of the at least one device; changing a usage schedule of the at least one device; changing a workload or utilization of the at least one device;

changing one or more operating characteristics of the at least one device and changing programming of or software run by the at least one device.

Claim 174. (Withdrawn) The method of claim 169, wherein the at least one predetermined rule identifies one or more of when and how one or more adjustments to one or more of resource-consumption and resource-production of the at least one device are made.

Claim 175. (Withdrawn) The method of claim 1, further comprising the steps of:

identifying a user type; and

operating the one or more devices in a mode based on the user type during a predetermined event.

Claim 176. (Withdrawn) The method of claim 1, further comprising the steps of:

receiving confirmation of the action taken; and

informing one or more recipients of the confirmed action taken.

Claim 177. (Withdrawn) The method of claim 176, wherein the step of informing comprises the steps of:

generating at least one message based on the confirmation; and

transmitting the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one intended recipient.

Claim 178. (Withdrawn) The method of claim 1, further comprising the steps of:

identifying one or more devices that fail to take an action in accordance with the at least one informational message; and

informing one or more recipients of the identified one or more devices.

Claim 179. (Withdrawn) The method of claim 178, wherein the step of informing further comprises the steps of:

generating at least one message based on the step of identifying; and

transmitting the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one intended recipient.

Claim 180. (Previously Presented) A system for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices, the system comprising:

a central server that automatically generates at least one informational message responsive to one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of at least one device of the plurality of remote devices; and

a communication link that transmits the at least one informational message to at least one communication device, where the at least one communication device initiates at least one action for providing a change of one or more of resource-consumption by, resource-production by, operating characteristics of, and operational state of one or more of the following: a): the at least one device of the plurality of remote devices, b) one or more second devices of the plurality of remote devices, wherein the one or more second devices is different from the at least one device and c) one or more devices of a second plurality of remote devices, wherein the second plurality of remote devices is different from the plurality of remote devices.

Claim 181. (Previously Presented) The system of claim 180, wherein the at least one informational message comprises at least one control signal and wherein the at least one communication device comprises at least one interface unit, where the interface unit in communication with the one or more devices of the plurality of remote devices controls the at least one device in accordance with the at least one control signal, to take an action for providing

a change of the one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 182. (Previously Presented) The system of claim 180, wherein the central server receives at least one command, wherein the at least one command is related to controlling at least one device and wherein the at least one informational message is generated based on the at least one command.

Claims 183. (Withdrawn) The system of claim 180, wherein the at least one informational message comprises one or more of a request to adjust the at least one device, an order to adjust the at least one device, price data associated with the at least one device, change in price data, pricing period data, change in pricing period data, an incentive for an adjustment in the at least one device, a change in incentive, an incentive period, and change in incentive period.

Claim 184. (Withdrawn) The system of claim 180, wherein a condition triggering the at least one informational message is an anticipated future decrease in available energy to the device.

Claim 185. (Withdrawn) The system of claim 184, wherein the condition comprises one or more of an anticipated future shortfall of available energy; a reduction in reserve or standby resource capacity; an energy-generation outage; an energy transmission outage, an energy distribution outage; and a terror or hacker attack on one or more of resource production, resource supply, resource transmission and resource distribution.

Claim 186. (Original) The system of claim 180, wherein the at least one informational message comprises an instruction directed to one or more of activating and deactivating the at least one device.

Claim 187. (Previously Presented) The system of claim 180, wherein the at least one

informational message comprises an instruction to adjust operation of the at least one device wherein the instruction to adjust the operation is directed to one or more of state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device.

Claims 188. (Withdrawn). The system of claim 180, wherein the step of transmitting occurs over one or more of a bi-directional communication link; a cellular telephone network; a radio network, a satellite network, a paging network, a power transmission line; an Ethernet network, a packet network, Internet, a meter-reading network and multiple networks.

Claim 189. (Withdrawn) The system of claim 180, further comprising:

a billing module that associates one or more of charges and fees with the control of the at least one device.

Claim 190. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjusts a bill associated with the at least one device pertaining to controlling the at least one device.

Claim 191. (Withdrawn) The system of claim 182, wherein the at least one command is generated via an Internet interface.

Claim 192. (Original) The system of claim 182, wherein the at least one command is generated in accordance with a user profile.

Claim 193. (Withdrawn) The system of claim 192, wherein the user profile is associated with an entity having an interest in one or more of energy consuming devices, energy transmission devices and energy producing devices.

Claim 194. (Original) The system of claim 192, wherein the user profile is associated with an entity that generates one or more commands.

Claim 195. (Withdrawn) The system of claim 180, wherein the interface unit comprises a plurality of interface units where each interface unit is in communication with at least one remote device.

Claim 196. (Previously Presented) The system of claim 180, wherein the plurality of remote devices comprises one or more of an air-conditioner, boiler, motor starter and heater.

Claim 197. (Withdrawn) The system of claim 180, wherein the devices comprise one or more of a power generator, generator control, automatic transfer switch, fuel cell, photovoltaic cell and wind turbine.

Claim 198. (Previously Presented) The system of claim 181, wherein the interface unit causes adjustments of the one or more of resource-consumption and resource-production attributed to the at least one device in accordance with the at least one informational message.

Claims 199. (Withdrawn) The system of claim 181, wherein the interface unit comprises an energy metric component.

Claim 200. (Withdrawn) The system of claim 182, wherein the at least one command is generated by one or more of a user associated with the at least one device; a supplier of a resource for operating the at least one device; a distributor of a resource for operating the at least one device; and a third party associated with one or more of supply, distribution and consumption of a resource for operating the at least one device.

Claim 201. (Withdrawn) The system of claim 180, wherein the at least one informational message is generated automatically based on external data associated with the one or more of supply, distribution and consumption of a resource for operating the at least one device.

Claim 202. (Withdrawn) The system of claim 180, further comprising:

a determining module that determines an amount of change of one or more of resource-consumption and resource-production attributed to the at least one device as a result of an adjustment of the at least one device.

Claim 203. (Withdrawn) The system of claim 202, wherein the change represents a reduction of resource-consumption.

Claim 204. (Withdrawn) The system of claim 202, wherein the change represents an increase of supply of a resource capable of being produced by the at least one device.

Claim 205. (Withdrawn) The system of claim 202, wherein the change represents a combination of a reduction of resource-consumption and an increase of resource-production of a resource capable of being produced by the at least one device.

Claim 206. (Withdrawn) The system of claim 202, wherein data about the amount of change is collected electronically via one or more of a communication link; a cellular telephone network, a radio network, a satellite network, a paging network, an Ethernet network, a packet network, Internet, a power line and multiple networks.

Claim 207. (Withdrawn) The system of claim 202, further comprising:

a determining module that determines that a current or an anticipated price of a resource is greater than a certain value.

Claim 208. (Withdrawn) The system of claim 180, further comprising:

a determining module that determines that the at least one device has been

controlled in accordance with the at least one informational message.

Claim 209. (Withdrawn) The system of claim 180, further comprising:

a command module that restores the at least one device to a state or condition prior to an adjustment made in response to the at least one informational message.

Claim 210. (Withdrawn) The system of claim 209, wherein the command module restores one or more of state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the at least one device.

Claim 211. (Withdrawn) The system of claim 209, wherein the restoring is performed after a predetermined period of time.

Claim 212. (Withdrawn) The system of claim 209, wherein the restoring is performed in response to a trigger event.

Claim 213. (Withdrawn) The system of claim 212, wherein the trigger event comprises one or more of a reduction in shortfall of available energy; an increase in reserve or standby resource capacity; a reduction of end of an energy-generation outage; a reduction or end of an energy distribution outage; and a reduction or end of a terror or hacker attack on one or more of resource production, resource supply and resource distribution.

Claim 214. (Withdrawn) The system of claim 212, wherein the restoring is performed upon receipt of a restoring command.

Claim 215. (Withdrawn) The system of claim 214, wherein the restoring command is automatically generated based on external data associated with one or more of supply, distribution and consumption of a resource associated with operation of the at least one device.

Claim 216. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjusts a bill of a user associated with the one or more

devices for one or more of activating, de-activating and controlling the at least one device in accordance with the at least one informational message.

Claim 217. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjust a bill associated with the one or more devices for an amount of resource consumption avoided as result of one or more of deactivating and controlling the at least one device.

Claim 218. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjusts a bill associated with the one or more devices for an amount of supply added as a result of one or more of activating and controlling the at least one device.

Claim 219. (Withdrawn) The system of claim 180, further comprising:

a billing module that generates data for one or more of adjusting a bill and initiating a settlement action associated with the one or more devices for one or more of activating, deactivating and controlling the at least one device in accordance with the at least one informational message.

Claim 220. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjusts a bill associated with the one or more devices for an amount of resource consumption avoided as a result of one or more of deactivating and controlling the at least one device.

Claim 221. (Withdrawn) The system of claim 180, further comprising:

a billing module that adjusts a bill associated with the one or more devices for an amount of supply added as a result of one or more of activating and controlling the at least one device.

Claim 222. (Withdrawn) The system of claim 180, further comprising:

a settlement module that initiates a settlement action to ensure an accurate amount is paid to an appropriate recipient from an appropriate payer related to one or more of resource-consumption and resource-production.

Claim 223. (Withdrawn) The system of claim 219, further comprising:

a settlement module that initiates a settlement action to ensure a plurality of appropriate amounts is paid to a plurality of appropriate recipients from a plurality of appropriate payers.

Claim 224. (Withdrawn) The system of claim 180, further comprising:

a credit module that compensates a user associated with the at least one device based on a difference between a predetermined baseline and an amount attributed to the change in one or more of resource-consumption and resource-production.

Claim 225. (Withdrawn) The system of claim 224, wherein the compensating is performed by crediting the user.

Claim 226. (Withdrawn) The system of claim 224, wherein the baseline comprises an average amount of change of one or more of resource-consumption and resource-production.

Claim 227. (Withdrawn) The system of claim 224, wherein the baseline is adjustable based on one or more of time frame, season, and weather data.

Claim 228. (Withdrawn) The system of claim 180, wherein a user accepts an offer generated by the central server wherein the offer comprises an incentive for taking an action at or during a certain time.

Claim 229. (Withdrawn) The system of claim 182, wherein the at least one command comprises an offer from a user associated with the one or more devices to effectuate a change in

one or more of consumption and supply of an associated resource for a certain consideration.

Claim 230. (Withdrawn) The system of claim 229, wherein the change in one or more of consumption and supply comprises one or more of a reduction in consumption and an increase in supply of a resource.

Claim 231. (Withdrawn) The system of claim 229, wherein the offer is transmitted to one or more entities.

Claim 232. (Withdrawn) The system of claim 231, wherein at least one of the one or more entities determines whether to accept the offer.

Claim 233. (Withdrawn) The system of claim 229, further comprising:

a decision module that decides based on one or more of price data, supply data and demand data whether to accept the offer before generating the at least one informational message.

Claim 234. (Withdrawn) The system of claim 181, wherein at least one signal is generated for terminating the action having the effect of providing the change; and the at least one signal is transmitted to the at least one interface unit, where the at least one interface unit in communication with the one or more devices controls the at least one device in accordance with the at least one signal, to take an action having the effect of terminating the action having the effect of providing the change.

Claim 235. (Withdrawn) The system of claim 179, wherein at least one message is generated regarding termination of the action having the effect of providing the change; and the at least one message is transmitted to the at least one communication device, where the at least one communication device is associated with at least one entity comprising one or more of a user and an owner of the at least one device.

Claim 236. (Withdrawn) The system of claim 235, wherein the at least one communication device is one or more of an email system or device, a pager, a telephone, an SMS or text-messaging device, a mobile computing device, a stationary computing device, a web browser, a server, a software program, a facsimile machine.

Claim 237. (Withdrawn) The system of claim 180, wherein the at least one informational message comprises an order to reduce resource-consumption or increase resource-production associated with the at least one device.

Claim 238. (Withdrawn) The system of claim 182, wherein the at least one command comprises an order to reduce resource-consumption or increase resource-production associated with the at least one device.

Claim 239. (Withdrawn) The system of claim 237, wherein the resource-consumption comprises energy consumption.

Claim 240. (Withdrawn) The system of claim 237, wherein the at least one informational message is capable of being overridden by an entity associated with the at least one device.

Claim 241. (Withdrawn) The system of claim 238, wherein the at least one command is capable of being overridden by an entity associated with the at least one device.

Claim 242. (Withdrawn) The system of claim 180, wherein the at least one informational message identifies a level of change from a plurality of levels of change wherein each level of change comprises a different level of one or more of resource-consumption and resource-production.

Claim 243. (Withdrawn) The system of claim 237, wherein one or more of price data, demand data, and supply data are assessed to determine the order.

Claim 244. (Withdrawn) The system of claim 180, wherein the at least one informational

message is based on a request from an entity requesting one or more of a reduction in resource-consumption and an increase in resource-production by a predetermined amount.

Claim 245. (Withdrawn) The system of claim 244, wherein the predetermined amount comprises an estimated amount based on one or more of demand data, supply data, device data and contract data.

Claim 246. (Withdrawn) The system of claim 244, wherein the predetermined amount is stored in a user profile.

Claim 247. (Withdrawn) The system of claim 180, wherein the one or more devices comprise one or more energy-related assets.

Claim 248. (Withdrawn) The system of claim 180, wherein the one or more devices are selectively re-adjusted, activated or deactivated subsequent to the one or more device's initial activations, de-activations or adjustments.

Claim 249. (Withdrawn) The system of claim 248, wherein the one or more devices are selectively re-adjusted, activated or deactivated by at least one command.

Claim 250. (Withdrawn) The system of claim 248, wherein the one or more devices are selectively re-adjusted, activated or deactivated by an additional at least one informational message.

Claim 251. (Withdrawn) The system of claim 248, wherein the one or more devices may be selectively re-adjusted, activated or deactivated in response to with a message to a communication device associated with at least one intended recipient.

Claim 252. (Withdrawn) The system of claim 180, wherein the at least one informational message is based on a request from a first entity requesting a second entity to select a level of adjustment from a plurality of levels of response involving the second entity reducing resource-

consumption or increasing resource-production.

Claim 253. (Withdrawn) The system of claim 182, wherein the at least one command comprises a request from a first entity requesting a second entity to select a level of adjustment from a plurality of levels of response involving the second entity reducing resource-consumption or increasing resource-production.

Claim 254. (Withdrawn) The system of claim 252, wherein the levels of adjustment comprise one or more of no adjustment and some adjustment.

Claim 255. (Withdrawn) The system of claim 252, wherein each level of adjustment has a corresponding incentive.

Claim 256. (Withdrawn) The system of claim 252, wherein the first entity comprises a supplier of a resource for operating the at least one device.

Claim 257. (Withdrawn) The system of claim 180, wherein the at least one informational message is based on a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on a user profile.

Claim 258. (Withdrawn) The system of claim 182, wherein the at least one command comprises a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on a user profile.

Claim 259. (Withdrawn) The system of claim 180, where the at least one informational message is based on a request from a first entity requesting one or more of a reduction in

resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on an overall target demand or supply goal for a plurality of entities.

Claim 260. (Withdrawn) The system of claim 182, where the at least one command comprises a request from a first entity requesting one or more of a reduction in resource-consumption and an increase in resource-production where a level of adjustment concerning one or more of resource-consumption or resource production is calculated for the second entity based on an overall target demand or supply goal for a plurality of entities.

Claim 261. (Withdrawn) The system of claim 259, wherein the second entity decides how the level of adjustment is distributed throughout the one or more devices.

Claim 262. (Withdrawn) The system of claim 259, wherein the second entity decides the one or more devices to be adjusted and an order of adjustment for the one or more devices.

Claim 263. (Withdrawn) The system of claim 262, wherein an estimated amount of adjustment of each of the one or more devices is determined.

Claim 264. (Withdrawn) The system of claim 260, wherein the second entity decides how the level of adjustment is distributed throughout the one or more devices.

Claim 265. (Withdrawn) The system of claim 260, wherein the second entity decides the one or more devices to be adjusted and an order of adjustment for the one or more devices.

Claim 266. (Withdrawn) The system of claim 180, wherein the at least one informational message is based on a request from an entity requesting one or more of a reduction in resource-consumption and an increase in resource-production by a predetermined amount for an incentive.

Claim 267. (Withdrawn) The system of claim 182, wherein the at least one command comprises a request from an entity requesting one or more of a reduction in resource-

consumption and an increase in resource-production by a predetermined amount for an incentive.

Claim 268. (Withdrawn) The system of claim 266, wherein a user associated with the one or more devices determines an amount of one or more of resource-consumption and resource-production in response to the incentive.

Claim 269. (Withdrawn) The system of claim 266, wherein the resource-consumption comprises energy consumption.

Claim 270. (Withdrawn) The system of claim 180, further comprising:

a transmitting module that transmits a notification message to the at least one communication device wherein the notification message informs one or more intended recipients of delivery or non-delivery of the at least one informational message.

Claim 271. (Withdrawn) The system of claim 182, further comprising:

a transmitting module that transmits a notification message to the at least one communication device wherein the notification message informs one or more intended recipients about the change in one or more of resource consumption and resource production.

Claim 272. (Withdrawn) The system of claim 180, further comprising:

determining module that calculates an amount of the change in one or more of resource-consumption and resource-production attributed to an entity for a specific adjustment; and

a database that stores the amount of the change.

Claim 273. (Withdrawn) The system of claim 272, wherein the amount comprises one or more of an actual amount, estimated amount, measured amount, calculated amount, approximated amount, sampled amount, standardized amount, predetermined amount, extrapolated amount and interpolated amount.

Claim 274. (Withdrawn) The system of claim 180, further comprising:

a determining module that calculates a potential amount of the change in one or more of resource-consumption and resource-production for a given level of adjustment attributed to an entity; and

a database that stores the potential amount.

Claim 275. (Withdrawn) The system of claim 180, wherein each unit of change in one or more of resource-consumption and resource-production within a defined area resulting from the action determines an amount of compensation.

Claim 276. (Withdrawn) The system of claim 275, wherein the unit of change in one or more of resource-consumption and resource-production is a predetermined number of kilowatts or kilowatt-hours of energy.

Claim 277. (Withdrawn) The system of claim 180, further comprising:

a trade module that enables a user to trade, buy or sell an amount of one or more of the change of resource-consumption and resource-production via a trading system wherein the change comprises one or more of current change, future change and prior change.

Claim 278. (Withdrawn) The system of claim 180, further comprising:

a bidding module that enables a user to accept one or more bids from one or more entities for an amount of change of one or more of the change of resource-consumption and resource-production.

Claim 279. (Withdrawn) The system of claim 180, further comprising:

a trade module that enables a user to offer a projected amount of change of one or more of resource-consumption and resource-production wherein the at least one informational message is generated based on the projected amount.

Claim 280. (Withdrawn) The system of claim 279, wherein the one or more entities comprise one or more of other users, one or more resource providers, one or more resource transmission entities, one or more resource distribution entities, trading entities, and an entity associated with the central server.

Claim 281. (Withdrawn) The system of claim 180, wherein one or more conditions are defined concerning bid acceptance from one or more entities for an adjustment in one or more of resource-consumption and resource-production.

Claim 282. (Withdrawn) The system of claim 180, further comprising:

a consumption module that assesses a consumption amount of one or more resources associated with operation of one or more devices; and

a supply module that assesses a supply amount of the one or more resources.

Claim 283. (Withdrawn) The system of claim 282, wherein the consumption amount comprises aggregate consumption data associated with a plurality of devices.

Claim 284. (Withdrawn) The system of claim 282, wherein the consumption amount comprises one or more of current consumption, theoretical consumption, anticipated consumption, a steady-sate consumption for a predetermined time frame, a peak consumption for a predetermined time frame and an average consumption for a predetermined time frame.

Claim 285. (Withdrawn) The system of claim 282, wherein the consumption amount is extrapolated from a plurality of devices contributing to aggregate consumption within a predefined area.

Claim 286. (Withdrawn) The system of claim 285, wherein the plurality of devices comprise a combination of the one or more devices in communication with the at least one communication device and other devices.

Claim 287. (Withdrawn) The system of claim 282, further comprising:

an adjustment module that adjusts one or more of the resource-consumption and resource-production of the one or more devices based on the assessed consumption amount varying from the assessed supply amount by a predetermined amount.

Claim 288. (Withdrawn) The system of claim 287, wherein the assessed consumption amount comprises aggregate consumption data from a plurality of devices.

Claim 289. (Withdrawn) The system of claim 180, further comprising:

a market module that assesses price data associated with one or more resources associated with the operation of the one or more devices; wherein the price data is considered in generating the at least one informational message.

Claim 290. (Withdrawn) The system of claim 289, wherein the price data is compared to at least one predetermined price threshold.

Claim 291. (Withdrawn) The system of claim 290, wherein the at least one predetermined price threshold is stored in a user profile.

Claim 292. (Withdrawn) The system of claim 180, further comprising:

a monitor module that monitors a plurality of devices and determines a plurality of price data based at least in part on the step of monitoring data wherein the plurality of price data is considered in generating the at least one informational message.

Claim 293. (Withdrawn) The system of claim 292, wherein the plurality of devices comprise one or more of resource transmission equipment, resource distribution equipment, the one or more devices and meter devices.

Claim 294. (Withdrawn) The system of claim 182, further comprising:

a monitor module that monitors a plurality of devices and determines a plurality

of price data based at least in part on the step of monitoring data wherein the plurality of price data is considered in generating the at least one command.

Claim 295. (Withdrawn) The system of claim 180, further comprising:

a market module that assesses price data associated with one or more resources associated with the operation of the one or more devices; wherein the price data is considered in one or more of activating, deactivating, controlling, and not controlling the at least one device.

Claim 296. (Withdrawn) The system of claim 180, further comprising:

a forecast module that assesses forecast data of one or more of consumption amount and supply amount associated with one or more resources associated with the operation of the one or more devices; wherein the assessed forecast data is considered in generating the at least one informational message.

Claim 297. (Withdrawn) The system of claim 180, further comprising:

a device module that assesses device function data associated with the operation of the one or more devices; wherein the assessed device function data is considered in generating the at least one informational message.

Claim 298. (Withdrawn) The system of claim 297, wherein the device function data comprises one or more of cost data in operating a device, cost data of one or more resources for operating the device, information regarding an ability to adjust one or more of resource-consumption and resource-production by the at least one device and priority of controlling the devices in relation to other devices.

Claim 299. (Withdrawn) The system of claim 180, further comprising:

a weather module that assesses weather condition data affecting the operation of the one or more devices; wherein the assessed weather condition data is considered in generating

the at least one informational message.

Claim 300. (Withdrawn) The system of claim 180, further comprising:

a user profile that assesses user profile data associated with the operation of the one or more devices; wherein the assessed user profile data is considered in generating the at least one informational message.

Claim 301. (Withdrawn) The system of claim 300, wherein the user profile data comprises data representing one or more of an average demand and an average supply.

Claim 302. (Withdrawn) The system of claim 180, further comprising:

an event module that assesses one or more event conditions comprising one or more of power reduction warnings; national, region or local security warnings; power or energy shortage warnings; terrorist attacks; power outages; equipment outages; power system restoration; wherein the assessed one or more event conditions is considered in generating the at least one informational message.

Claim 303. (Withdrawn) The system of claim 180, further comprising:

an event module that identifies one or more energy curtailment mandates from an entity; wherein the one or more energy curtailment mandates is considered in generating the at least one informational message.

Claim 304. (Withdrawn) The system of claim 303, wherein the mandates are self-imposed.

Claim 305. (Withdrawn) The system of claim 180, further comprising:

an adjustment module that balances the operation of the one or more devices based at least in part on one or more of the consumption amount and the assessed supply amount.

Claim 306. (Withdrawn) The system of claim 305, wherein the operation of one or more devices is balanced among one or more entities.

Claim 307. (Withdrawn) The system of claim 180, further comprising:

a feedback module that receives feedback data in response to transmission of the at least one informational message and generates at least one additional informational message in accordance with the feedback data.

Claim 308. (Withdrawn) The system of claim 180, further comprising:

a feedback module that receives feedback data in response to an adjustment of the at least one device and re-adjusts operation of one or more devices based at least in part on the feedback data.

Claim 309. (Withdrawn) The system of claim 180, further comprising:

a feedback module that receives feedback data in response to an adjustment of the at least one device; generating at least one message based on the received feedback data; and transmits the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one recipient.

Claim 310. (Withdrawn) The system of claim 308, wherein the re-adjusting is performed in response to an additional at least one informational message.

Claim 311. (Withdrawn) The system of claim 308, wherein the re-adjusting comprises one or more or activating, de-activating and controlling the one or more devices.

Claim 312. (Withdrawn) The system of claim 308, wherein the feedback data comprises one or more of device level data and user level data.

Claim 313. (Withdrawn) The system of claim 308, wherein the feedback data comprises aggregate data among a plurality of entities.

Claim 314. (Withdrawn) The system of claim 308, wherein the feedback data comprises aggregate data independent of specific entities.

Claim 315. (Withdrawn) The system of claim 308, wherein the re-adjusting further comprises adjusting an incentive associated with the adjustment of the at least one device.

Claim 316. (Withdrawn) The system of claim 308, wherein the re-adjusting further comprises adjusting a price associated with a resource associated with operation of the at least one device.

Claim 317. (Withdrawn) The system of claim 180, further comprising:

a forecast module that measures at least one performance metric of the one or more devices; predicts future performance of the one or more devices based on the step of measuring; and generates the at least one informational message based at least in part on the predicted future performance.

Claim 318. (Withdrawn) The system of claim 317, wherein the at least one performance metric comprises one or more of state characteristics, parameters and operating characteristics and wherein the future performance comprises one or more of future resource-consumption and future resource-production.

Claim 319. (Withdrawn) The system of claim 180, further comprising:

a monitor module that monitors one or more devices associated with a user, the user having a user profile identifying the one or more devices; and

a trigger event module that automatically generates the at least one informational message based at least in part on the step of monitoring.

Claim 320. (Withdrawn) The system of claim 180, further comprising:

a trigger event module that identifies at least one trigger condition for automatically initiating adjustment of one or more of resource-consumption and resource-production of the at least one device, wherein the adjustment is directed to one or more of state,

use, parameter, set points, operating characteristics, duty cycle, control logic and schedule associated with the at least one device and generates the at least one informational message in response to an occurrence of the at least one trigger condition.

Claim 321. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined trigger condition defined by the user.

Claim 322. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined schedule of adjustments in the one or more of resource-consumption and resource-production of the at least one device.

Claim 323. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined weather condition where an occurrence of the predetermined weather condition triggers an automatic adjustment in one or more of resource-consumption and resource-production of the at least one device.

Claim 324. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a warning message of an imminent event forcing power adjustment.

Claim 325. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined condition involving one or more of real-time, near real-time, forward and anticipated pricing data.

Claim 326. (Withdrawn) The system of claim 325, wherein the price data comprises market price data.

Claim 327. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined condition involving one or more of time of day, day of week, and season data.

Claim 328. (Withdrawn) The system of claim 320, wherein the at least one trigger condition

comprises a predetermined condition involving current surplus and deficit resource availability data.

Claim 329. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined condition involving forecasted surplus and deficit capacity data.

Claim 330. (Withdrawn) The system of claim 320, wherein the at least one trigger condition comprises a predetermined condition involving a change in price of a resource with respect to a predetermined threshold.

Claim 331. (Original) The system of claim 182, wherein the at least one command is from a user associated with the at least one device, the user having an associated user profile.

Claims 332. (Withdrawn) The system of claim 331, wherein the user profile defines in whole or in part an agreement between the user and an entity associated with the central server concerning a right to control of the one or more devices.

Claim 333. (Withdrawn) The system of claim 331, wherein an entity reserves a right to overrule rights associated with the user in operation of the one or more devices or in response to an event.

Claim 334. (Withdrawn) The system of claim 331, wherein the user defines or modifies all or in part one or more of the user profile and a profile in which the user has been assigned one or more rights.

Claim 335. (Withdrawn) The system of claim 332, wherein the user performs the defining or the modifying over the Internet.

Claim 336. (Withdrawn) The system of claim 331, wherein the user makes available all or part of the user profile in connection with participation in a resource trading network or exchange.

Claim 337. (Withdrawn) The system of claim 336, wherein the user shares data associated with the user profile with other users.

Claim 338. (Withdrawn) The system of claim 180, wherein at least one predetermined rule is related to controlling the at least one device.

Claim 339. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule is defined by a user associated with the one or more devices.

Claim 340. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule is defined at a user interface via the Internet.

Claim 341. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule is stored in a user profile associated with a user.

Claim 342. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule comprises one or more situational rules where each situational rule is applicable for an identified circumstance.

Claim 343. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule comprises a predetermined rule specific for one or more devices.

Claim 344. (Withdrawn) The system of claim 338, wherein the at least one predetermined rule varies in accordance with feedback data.

Claim 345. (Withdrawn) The system of claim 344, wherein the at least one predetermined rule varies situationally.

Claim 346. (Withdrawn) The system of claim 344, wherein the at least one predetermined rule varies dynamically.

Claim 347. (Withdrawn) The system of claim 338, wherein the at least one informational message is generated in accordance with the at least one predetermined rule.

Claim 348. (Withdrawn) The system of claim 347, wherein the at least one predetermined rule is directed to controlling one or more of one or more of state, use, one or more parameters, one or more set points, operating characteristics, duty cycle, control logic and scheduling of the one of more devices.

Claim 349. (Withdrawn) The system of claim 348, wherein the at least one predetermined rule identifies how the one or more devices are monitored.

Claim 350. (Withdrawn) The system of claim 348, wherein the user defined rules comprise multiple levels of control or adjustment concerning the one or more devices.

Claim 351. (Withdrawn) The system of claim 180, wherein the at least one informational message initiates one or more actions involving activating and deactivating the at least one device or one or more components associated with the at least one device.

Claim 352. (Withdrawn) The system of claim 180, wherein the at least one informational message initiates one or more actions involving changing a plurality of set points; changing a plurality of parameters; changing one or more inputs to the at least one device; changing state of the at least one device; reducing an amount of resource supplied to the at least one device over a predefined time period; changing a duty cycle of the at least one device; changing a usage schedule of the at least one device; changing a workload or utilization of the at least one device; changing one or more operating characteristics of the at least one device and changing programming of or software run by the at least one device.

Claim 353. (Withdrawn) The system of claim 348, wherein the at least one predetermined rule identifies one or more of when and how one or more adjustments to one or more of resource-consumption and resource-production of the at least one device are made.

Claim 354. (Withdrawn) The system of claim 180, further comprising:

a user module that identifies a user type; and operates the one or more devices in a mode based on the user type during a predetermined event.

Claim 355. (Withdrawn) The system of claim 180, further comprising:

a confirmation module that receives confirmation of the action taken and informs one or more recipients of the confirmed action taken.

Claim 356. (Withdrawn) The system of claim 355, wherein the confirmation module generates at least one message based on the confirmation; and transmits the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one intended recipient.

Claim 357. (Withdrawn) The system of claim 180, further comprising:

a confirmation module that identifies one or more devices that fail to take an action in accordance with the at least one informational message and informs one or more recipients of the identified one or more devices.

Claim 358. (Withdrawn) The system of claim 178, wherein the confirmation module generates at least one message based on the step of identifying and transmits the at least one message to the at least one communication device, wherein the at least one communication device is associated with at least one intended recipient.

Claim 359. (Withdrawn) A method for managing one or more of resource-consumption and resource-production of a plurality of devices, the method comprising the steps of:

making a determination concerning one or more of resource-consumption and resource-production of one or more devices; and

transmitting at least one command to a central server, wherein the at least one command is related to controlling at least one device and is based at least in part on the

determination and wherein the central server generates at least one control signal based on the at least one command for controlling the at least one device and transmits the at least one control signal to an interface unit to take an action having an effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 360. (Withdrawn) The method of claim 359, further comprising the step of:

receiving data associated with one or more of resource-consumption and resource-production of the one or more devices, wherein the received data is considered in generating the at least one control signal.

Claim 361. (Withdrawn) The method of claim 359, further comprising the step of:

receiving data associated with one or more of resource-consumption and resource-production of the one or more devices, wherein the received data is considered in generating the at least one command.

Claim 362. (Withdrawn) The method of claim 359, further comprising the step of:

creating a user profile for monitoring the one or more devices wherein the user profile comprises at least one predetermined rule for adjusting one or more of resource-consumption and resource-production of the at least one device and wherein the at least one control signal is automatically generated in accordance with the at least one predetermined rule.

Claim 363. (Withdrawn) The method of claim 362, wherein the user profile comprises a model providing data describing functionality attributed to the one or more devices.

Claim 364. (Withdrawn) The method of claim 363, wherein the data comprises one or more of individual device data, aggregate data, resource-consumption data and resource-production data.

Claim 365. (Withdrawn) The method of claim 359, further comprising the step of:

receiving a message indicating a credit for an amount of the change of one or more of resource-consumption and resource-production of the at least one device.

Claim 366. (Withdrawn) The method of claim 359, further comprising the step of:

receiving a message indicating a confirmation of the action taken in accordance with the at least one control signal.

Claim 367. (Withdrawn) The method of claim 359, further comprising the step of:

offering an amount of the change of one or more of resource-consumption and resource-production attributed to the at least one device to one or more entities.

Claim 368. (Withdrawn) The method of claim 360, wherein the step of receiving data further comprises the step of:

receiving external data affecting an operation of the at least one device wherein the external data is used to define a trigger condition for automatically generating the at least one command for adjusting the resource-consumption of the at least one device.

Claim 369. (Withdrawn) The method of claim 359, further comprising the step of:

monitoring price data of a resource associated with an operation of the at least one device.

Claim 370. (Withdrawn) The method of claim 359, further comprising the step of:

determining whether to offer a reduction in resource-consumption based on one or more of price data and forecast data.

Claim 371. (Withdrawn) The method of claim 359, further comprising the step of:

initiating an offer to reduce resource-consumption for a predetermined amount.

Claim 372. (Withdrawn) The method of claim 371, wherein the offer is initiated when a market price for a resource exceeds a predetermined level.

Claim 373. (Withdrawn) The method of claim 371, wherein the offer is initiated when a rate period for a resource changes.

Claim 374. (Withdrawn) The method of claim 362, wherein the user profile is created at the central server.

Claim 375. (Withdrawn) The method of claim 359, wherein data comprises aggregate resource consumption data for a predetermined area.

Claim 376. (Withdrawn) A system for managing one or more of resource-consumption and resource-production of a plurality of devices, the system comprising:

a determination module that makes a determination concerning one or more of resource-consumption and resource-production of one or more devices; and

a transmitting module that transmits at least one command to a central server, wherein the at least one command is related to controlling at least one device and is based at least in part on the determination and wherein the central server generates at least one control signal based on the at least one command for controlling the at least one device and transmits the at least one control signal to an interface unit to take an action having an effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 377. (Withdrawn) The system of claim 376, wherein data associated with one or more of resource-consumption and resource-production of the one or more devices is received, wherein the received data is considered in generating the at least one control signal.

Claim 378. (Withdrawn) The system of claim 376, wherein data associated with one or more of resource-consumption and resource-production of the one or more devices is received, wherein the received data is considered in generating the at least one command.

Claim 379. (Withdrawn) The system of claim 376, further comprising:

a user profile that enables a user to monitor the one or more devices wherein the user profile comprises at least one predetermined rule for adjusting one or more of resource-consumption and resource-production of the at least one device and wherein the at least one control signal is automatically generated in accordance with the at least one predetermined rule.

Claim 380. (Withdrawn) The system of claim 379, wherein the user profile comprises a model providing data describing functionality attributed to the one or more devices.

Claim 381. (Withdrawn) The system of claim 380, wherein the data comprises one or more of individual device data, aggregate data, resource-consumption data and resource-production data.

Claim 382. (Withdrawn) The system of claim 376, wherein a message is received indicating a credit for an amount of the change of one or more of resource-consumption and resource-production of the at least one device.

Claim 383. (Withdrawn) The system of claim 376, wherein a message is received indicating a confirmation of the action taken in accordance with the at least one control signal.

Claim 384. (Withdrawn) The system of claim 376, further comprising:

a trading module that enables a user to offer an amount of the change of one or more of resource-consumption and resource-production attributed to the at least one device to one or more entities.

Claim 385. (Withdrawn) The system of claim 377, wherein external data affecting an operation of the at least one device is received wherein the external data is used to define a trigger condition for automatically generating the at least one command for adjusting the resource-consumption of the at least one device.

Claim 386. (Withdrawn) The system of claim 376, wherein price data of a resource

associated with an operation of the at least one device is monitored.

Claim 387. (Withdrawn) The system of claim 376, wherein whether to offer a reduction in resource-consumption based on one or more of price data and forecast data is determined.

Claim 388. (Withdrawn) The system of claim 376, wherein an offer to reduce resource-consumption for a predetermined amount is initiated.

Claim 389. (Withdrawn) The system of claim 388, wherein the offer is initiated when a market price for a resource exceeds a predetermined level.

Claim 390. (Withdrawn) The system of claim 388, wherein the offer is initiated when a rate period for a resource changes.

Claim 391. (Withdrawn) The system of claim 379, wherein the user profile is created at the central server.

Claim 392. (Withdrawn) The system of claim 376, wherein data comprises aggregate resource consumption data for a predetermined area.

Claim 393. (Withdrawn) A method for managing one or more of resource-consumption and resource-production of a plurality of devices, the method comprising the steps of:

receiving at least one control signal at one or more interface units wherein the at least one control signal is related to controlling at least one device; and

communicating with the at least one device in accordance with the at least one control signal, to take an action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 394. (Withdrawn) The method of claim 393, further comprising the step of:

reporting confirmation of receipt of the communication to a central server.

Claim 395. (Withdrawn) The method of claim 394, wherein the confirmation is

communicated to at least one communication device associated with one or more intended recipients via a preferred mode of communication.

Claim 396. (Withdrawn) The method of claim 393, further comprising the step of:

reporting confirmation of the action to a central server.

Claim 397. (Withdrawn) The method of claim 396, wherein the confirmation is communicated to at least one communication device associated with one or more intended recipients via a preferred mode of communication.

Claim 398. The method of claim 393, wherein data comprising one or more of resource-consumption, resource-production, device performance, device parameters, device state, device usage, exception conditions, change in resource consumption or production are measured, individually or collectively.

Claim 399. (Withdrawn) The method of claim 398, wherein the measured data is communicated to one or more intended recipients via a preferred mode of communication.

Claim 400. (Withdrawn) A method for managing one or more of resource-consumption and resource-production of a plurality of devices, the method comprising the steps of:

receiving at least one control signal at one or more interface units wherein the at least one control signal is related to controlling at least one device; and

performing one or more of displaying data and activating, de-activating, and altering one or more of an indicator and an alarm in response to the at least one control signal, to provide information associated with taking an action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 401. (Withdrawn) The method of claim 400, wherein the data comprises one or more

of resource-consumption, resource-production, device performance, device parameters, and change in resource consumption or production.

Claim 402. (Withdrawn) A system for managing one or more of resource-consumption and resource-production of a plurality of devices, the system comprising:

a receiving module that receives at least one control signal at one or more interface units wherein the at least one control signal is related to controlling at least one device; and

a communication module that communicates with the at least one device in accordance with the at least one control signal, to take an action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 403. (Withdrawn) The system of claim 402, wherein confirmation of the receipt of the communication is reported to a central server.

Claim 404. (Withdrawn) The system of claim 403, wherein the confirmation is communicated to at least one communication device associated with one or more intended recipients via a preferred mode of communication.

Claim 405. (Withdrawn) The system of claim 402, wherein confirmation of the action is reported to a central server.

Claim 406. (Withdrawn) The system of claim 405, wherein the confirmation is communicated to at least one communication device associated with one or more intended recipients via a preferred mode of communication.

Claim 407. (Withdrawn) The system of claim 402, wherein data comprising one or more of resource-consumption, resource-production, device performance, device parameters, exception

conditions, change in resource consumption or production are measured, individually or collectively.

Claim 408. (Withdrawn) The system of claim 407, wherein the measured data is communicated to one or more intended recipients via a preferred mode of communication.

Claim 409. (Withdrawn) A system for managing one or more of resource-consumption and resource-production of a plurality of devices, the method comprising the steps of:

receiving at least one control signal at one or more interface units wherein the at least one control signal is related to controlling at least one device; and

performing one or more of displaying data and activating, de-activating, and alerting one or more of an indicator and an alarm, in response to the at least one control signal, to provide information associated with taking an action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to the at least one device.

Claim 410. (Withdrawn) The system of claim 409, wherein the data comprises one or more of resource-consumption, resource-production, device performance, device parameters, and change in resource consumption or production.

Claim 411. (Withdrawn) The method of claim 1, wherein the at least one device comprises an identifier component for identifying one or more of identity, make, model, serial number, type, category, ownership, location, electronic address, operation, power requirements, resource-consumption, resource-production, power profile, adjustability, current state, current parameters associated with the at least one device to the at least one communication device.

Claim 412. (Withdrawn) The method of claim 411, wherein the power profile comprises one or more of an amount of power being drawn and when the amount of power is being drawn.

Claim 413. (Withdrawn) The method of claim 411, wherein the adjustability refers to an ability to adjust to a plurality of levels of adjustment.

Claim 414. (Withdrawn) The system of claim 180, wherein the at least one device comprises an identifier component for identifying one or more of identity, make, model, serial number, type, category, ownership, location, electronic address, operation, power requirements, resource-consumption, resource-production, power profile, adjustability, current state, current parameters associated with the at least one device to the at least one communication device.

Claim 415. (Withdrawn) The system of claim 414, wherein the power profile comprises one or more of an amount of power being drawn and when the amount of power is being drawn.

Claim 416. (Withdrawn) The system of claim 414, wherein the adjustability refers to an ability to adjust to a plurality of levels of adjustment.

Claim 417. (Withdrawn) A method for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices, the method comprising the steps of:

identifying at least one station from a plurality of stations for adjusting one or more of resource-consumption and resource-production associated with the at least one station;

generating a message related to one or more of resource-consumption and resource-production for the at least one station; and

transmitting the message to the at least one station wherein the at least one station generates an informational message to at least one communication device where the at least one communication device enables the taking of at least one action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to at least one device associated with the at least one communication device.

Claim 418. (Withdrawn) The method of claim 417, wherein the message comprises a command comprising one or more of a decrease in resource-consumption and an increase in resource-production.

Claim 419. (Withdrawn) The method of claim 417, wherein the at least one communication device provides confirmation data to the at least one station in response to the taking of the at least one action.

Claim 420. (Withdrawn) The method of claim 419, wherein confirmation data comprises data related to one or more of compliance, non-compliance and measure of compliance.

Claim 421. (Withdrawn) The method of claim 419, wherein the at least one station gathers aggregate data concerning the change of one or more of resource-consumption and resource-production from a plurality of communication devices.

Claim 422. (Withdrawn) The method of claim 417, wherein the at least one station operates in a failure mode in response to a condition wherein the condition affects operation of the at least one station.

Claim 423. (Withdrawn) The method of claim 422, wherein at least one backup station operates on behalf of the at least one station.

Claim 424. (Withdrawn) The method of claim 423, wherein the at least one backup station comprises a plurality of backup stations where each one of the plurality of backup stations rotate responsibility for the at least one station in failure mode.

Claim 425. (Withdrawn) A system for controlling one or more of resource-consumption and resource-production associated with a plurality of remote devices, the system comprising:

a module that identifies at least one station from a plurality of stations for adjusting one or more of resource-consumption and resource-production associated with the at

least one station and generates a message related to one or more of resource-consumption and resource-production for the at least one station; and

a communication link that transmits the message to the at least one station wherein the at least one station generates an informational message to at least one communication device where the at least one communication device enables the taking of at least one action having the effect of providing a change of one or more of resource-consumption and resource-production attributed to at least one device associated with the at least one communication device.

Claim 426. (Withdrawn) The system of claim 425, wherein the message comprises a command comprising one or more of a decrease in resource-consumption and an increase in resource-production.

Claim 427. (Withdrawn) The system of claim 425, wherein the at least one communication device provides confirmation data to the at least one station in response to the taking of the at least one action.

Claim 428. (Withdrawn) The system of claim 427, wherein confirmation data comprises data related to one or more of compliance, non-compliance and measure of compliance.

Claim 429. (Withdrawn) The system of claim 427, wherein the at least one station gathers aggregate data concerning the change of one or more of resource-consumption and resource-production from a plurality of communication devices.

Claim 430. (Withdrawn) The system of claim 425, wherein the at least one station operates in a failure mode in response to a condition wherein the condition affects operation of the at least one station.

Claim 431. (Withdrawn) The system of claim 430, wherein at least one backup station

operates on behalf of the at least one station.

Claim 432. (Withdrawn) The system of claim 431, wherein the at least one backup station comprises a plurality of backup stations where each one of the plurality of backup stations rotate responsibility for the at least one station in failure mode.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None.